

believe that including a limitation such as "immunogenicity" in a dependent claim, does not "broaden up" the referred-to independent claim, but merely adds a further limitation.

The claims are believed to be in compliance with 35USC112, first paragraph. The claims do not recite "multi/shuffled" and we do not know precisely what such a limitation would entail. The claims require SEQ ID NO:2 or recited fragments thereof and, as the claim is in "comprising" format, these required sequences may be covalently coupled to other sequences. The invention relates to recombinantly expressed polypeptides. Expressing targeted polypeptides as portions of larger proteins or covalently linked to additional residues is well within the purview of those in the art, is as old and common as recombinant protein expression itself, and is exemplified throughout the specification with the required polypeptides, e.g. p.5, lines 21-22; p.11, line 31 - p.12, line 2; p.12, line 31-32, etc.

The claims are believed to be in compliance with 35USC112, second paragraph. The phrase "at least one of" followed by (a), (b) and (c), means literally that - that at least one of the group (a), (b) and (c) must be present. The apparent objection to the inclusion of the "SEQ ID NO:2" limitation in the group has been addressed by moving this limitation to a new, dependent claim. The position of the reference to "SEQ ID NO:2" vis a vis the recited fragments has been moved to address the potential ambiguity identified by the Examiner.

Applicants hereby petition for any necessary extension of time pursuant to 37 CFR 1.136(a). The Commissioner is hereby authorized to charge any other fees or credit any overcharges associated with this communication to our Deposit Account No.19-0750 (order no. EX98-001).

Respectfully submitted,
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